

## **SUMMARY OF SUBCOMMITTEE MEETING**

**DATE:** January 18, 2002  
**TO:** Ross Dunfee, Steering Committee Chairman  
Tony Barrett, Department of Ecology  
**COPY:** Steering Committee Members and Consultant Team  
**FROM:** Dave Moss, Tt/KCM and John Kosco, Tetra Tech  
**SUBJECT:** **Summary of NPDES Phase II Subcommittee Meeting**  
**Moses Lake Conference Center**  
**January 10, 2002 9:00 am - 2:00 pm**  
**PROJECT:** EASTERN WASHINGTON STORMWATER MANAGEMENT  
Stormwater Management Technical Manual *and*  
Model Municipal NPDES Phase II Stormwater Program

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### **Subcommittee Meeting Attendees:**

|   |                                     |
|---|-------------------------------------|
| Ross Dunfee – Benton County             | John Knutson – Yakima County        |
| Joe Wilson – City of Richland           | John Kosco – Tetra Tech             |
| Lucy Peterschmidt – Spokane County      | Dave Moss – Tetra Tech / KCM        |
| Dwane Van Epps – City of Chelan         | Bob Alberts – City of Pasco         |
| Lloyd Brewer – City of Spokane          | Rick Bollinger – City of Ellensburg |
| Lars Hendron – City of Spokane          | Jim Ajax – City of Wenatchee        |
| Jim Seitz – Assoc. of Washington Cities | Chris Waarvick – City of Yakima     |
| Tom Tebb – WDOE/Central                 | Al King – WSDOT                     |
| Bill Moore – WDOE/Olympia               |                                     |

### **PURPOSE OF MEETING:**

This meeting was held to gather the core subcommittee members and at-large members to discuss:

- ❖ The issues involved in developing a model program for the NPDES Phase II stormwater regulations;
- ❖ EPA's model NPDES permit status;
- ❖ Development of a benchmarking questionnaire;
- ❖ The revised draft outline of the model program, together with review of Chapters 4, 5 and 6.

### **AGENDA FOR THIS MEETING:**

1. Introductions; review of agenda; review of summary from 12/13/01 meeting
  2. EPA model permit; briefly discuss status of pending update and release from EPA
  3. Revised draft outline of Model Program
  4. Review/input to Chapters 4, 5 and 6 of the draft NPDES Phase II Model Program
  5. Review/summarize highlights of meeting and prepare for Steering Committee meeting
  6. Next meeting: date, time, place and agenda topics
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## BRIEF SUMMARY OF PROCEEDINGS:

1. Each member introduced himself or herself. John Knutson (chair of the subcommittee for NPDES Phase II Model Program) reviewed the agenda.
2. Dave Moss summarized the discussion from the previous meeting on 12/13/01. Dave then distributed project schedules and issue resolution sheets to those who hadn't received them in prior meetings.
3. Dave also discussed the FTP site and asked each participant to note on the sign-in sheet whether they were able to access the site or not. Dave noted some had been having access troubles and he was very interested in supporting those persons to get access. An e-mail would be sent to verify and/or facilitate access.
4. John Kosco summarized the status of EPA's model Phase II permit. The current model, published in October 2000, does not add any detail beyond what is already in the EPA regulations. A new model should be published by EPA by the end of January or early February 2002. As soon as this model is published, the subcommittee will be notified and a copy will be made available. It will also be discussed at the next meeting.

John Knutson offered the Clark County Phase I permit as a document of interest for format, general content, etc. It was noted and cautioned, however, that the Clark County permit was not a good model for the Phase II program because it was created to address Phase I regulations and also the requirements of a lawsuit.

5. John Kosco also briefly discussed the Measurable Goals Guidance EPA published last October. This is available on EPA's web site at:

<http://www.epa.gov/npdes/stormwater/measurablegoals/index.htm>

EPA's Menu of BMPs, which includes a detailed fact sheet on over 100 different BMPs sorted into the six minimum measures, is also available on EPA's web site at:

<http://www.epa.gov/npdes/menuofbmps/menu.htm>

EPA is now asking why a particular action has been selected. Ecology hasn't yet decided what specifically is required. Measurable goals are intended to be "locally" defined.

6. John Kosco led a discussion of the content of a benchmarking questionnaire to be sent out to Eastern Washington cities and counties. A previous survey sent out by the Association of Washington Cities to Western Washington Phase II cities was discussed. Jim Ajax suggested the questionnaire not be used, but rather the consultant just tell the subcommittee what was important. Some also thought the recipients might be suspicious and guarded in their responses. Upon consideration, the consultant believed the survey was very important to understand the current status of stormwater management in Eastern Washington.

The subcommittee recommended that a brief, more simplified survey be developed. John Kosco, Jim Sietz, Bob Alberts, Lars Hendron, and Chris Waarvick volunteered to form a subgroup to help review this survey and a cover memo. Preferably the survey could be shortened to about eight questions. One could inquire about funding, but not request detailed \$figures at this time. WRIA areas were suggested to be added. Also, it will be requested that pertinent reference documents be forwarded for review. Ross Dunfee then recommended that if this subgroup agreed with the new survey, it should be sent out immediately. The survey will be sent out from the Association of Washington Cities (and hopefully the Washington State Association of Counties) to all Eastern Washington cities and counties, not just Phase II municipalities.

7. John Kosco then reviewed the revised draft of the Phase II Model program's table of contents (dated 1/3/02). John noted a Chapter 8 on "Reporting and Assessment" had been inserted to enhance usability. During the discussion, it was recommended that emergency conditions be addressed in both the illicit discharge and good housekeeping chapters. The subcommittee then discussed adding to the basic format for each minimum measure: "what is needed to implement this measure (who, what, equipment, etc.)" and "benchmarking information," where available. Also cost estimates could be included within each minimum measure chapter, for the future draft reviews, but would probably be consolidated into a common Chapter 9 for the final document. This would facilitate review, then use, and allow a programmatic presentation of overall costs.
8. John Kosco then began a review of Chapter IV – Illicit Discharge Detection and Elimination (Measure #3). The major items of the discussion are listed below. (First 3 items are general and apply to other chapters.)
  - a. Generally, update the text to read as an end-user document; don't include "comment" sentences.
  - b. Denote which portions of the text are Requirements/Regulations and which are Guidance.
  - c. When "typical" is stated, make sure it applies to Eastern Washington, or note it applies elsewhere.
  - d. Include CFR cites and State Waste Discharge regulations in requirements section.
  - e. Additional clarity is needed for the non-stormwater discharge section.. Tetra Tech will draft some criteria MS4s can consider to determine whether the non-stormwater sources listed are a significant contributor of pollutants.
  - f. In the benefits section, need to also describe health or infrastructure benefits. Also the benefits of preventing problems.
  - g. Tetra Tech will propose a definition for outfalls and what type of outfalls should be mapped.
  - h. Bill Moore suggested defining Stormwater Discharge Points as: (A) Outfalls, and (B) Drywells; Other. Ecology will answer by the next meeting the issue of whether drywells are outfalls and need to be mapped for the Phase II program. Bill suggested we focus on NPDES and defer UIC for later. (UIC is a federal program delegated to the state.) The drywell issue is locally-based, risk-based. Bill suggested the focus be on future construction of drywells from a pollution prevention perspective. If existing drywells have problems, then prioritize the problem drywells for retrofit.
9. For the General Permit, Ecology noted that if you meet the Federal EPA requirements for discharge to surface waters, you also meet Washington state's requirements. The General Permit, however, will be a combined State/Federal permit which, due to state requirements, will also address groundwater. The state UIC program requirements are in the process of being updated. See Ecology's website:
 

<http://www.ecy.wa.gov/laws-rules/activity/wac173218.html>

Bill Moore noted that pollution prevention, from the present forward is the goal, rather than lots of retroactive activities. He also noted that the NPDES permit was for 5 years, using a process of adaptive management. The best philosophy is to design systems so you can safely assume they won't pollute the groundwater.
10. The subcommittee discussed continuing with review at the next meeting. Tetra Tech will revise the current drafts of Chapters 4, 5, and 6 into more detail, and will prepare a preliminary draft of Chapter 7.

11. The subcommittee discussed potential “white paper” topics, and focussed on drywells:

- a. Drywells (technical) – what, when, how are drywells properly used? How many types of drywells?
- b. Drywells (regulatory) – how should drywells be treated? (i.e. what are the legal and regulatory requirements?) how do drywells interface with the NPDES Phase II permit? If polluting, how far upstream is considered?
- c. Drywells (management) – what are the management program requirements for drywells?

12. For the **next meeting** (Moses Lake Conference Center on **February 14, 2002** from 9am to 2pm):

- ❖ Discuss status of model permit for NPDES Phase II from EPA
- ❖ Discuss the survey/questionnaire for “benchmarking” existing conditions
- ❖ Discuss the issue of whether drywells are outfalls, and/or what mapping is required
- ❖ Discuss the second draft of Chapters 4, 5 and 6 for the model program for NPDES Phase II
- ❖ Discuss the first draft of Chapter 7; consider status of remaining chapters
- ❖ Discuss the list of key issues which are “white paper” topics for the NPDES Phase II model program